

U.S. PTO Customer No. 25280

Case 5113

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kenneth B. Higgins et al.  
 Filed: November 24, 2000  
 Serial Number: 09/721,871  
 For: Cushioned Carpet, Carpet Tile, and Method  
 Group Art Unit: 1771  
 Examiner: Juska, Cheryl Ann

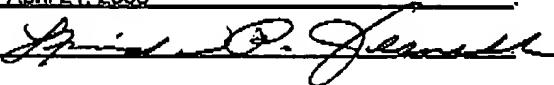
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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
 TO THE BOARD OF APPEALS

Commissioner of Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

**Certificate of Transmission**  
 I hereby certify that this correspondence, and all correspondence referenced herein, is being sent to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, by facsimile to 571-273-8300.

Date: April 21, 2006

Signature:   
 Name: Linda P. Jewell

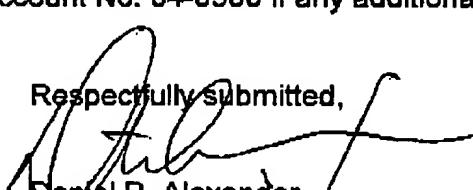
Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated October 19, 2005 of the Primary Examiner finally rejecting Claims 57-80, 82-85, and 150-160.

The item(s) checked below are appropriate:

1.  An Extension of Time is filed concurrently herewith.
2.  Charge Deposit Account No. 04-0500 the fee of \$170.00. (A fee of \$330 was submitted in the Notice of Appeal dated March 24, 2004)
- Charge Deposit Account No. 04-0500 if any additional extension and/or fee is required.

Respectfully submitted,

  
 Daniel R. Alexander  
 Agent for Applicant(s)  
 Registration Number 32,604  
 Spartanburg, SC 29304  
 Telephone Number: (864) 503-1372

April 21, 2006

Adjustment date: 04/24/2006 NNGUYEN1  
 04/02/2004 000000001 040500 09721871  
 01 FC:1401 330.00 CR  
 04/24/2006 NNGUYEN1 00000035 040500 09721871  
 02 FC:1401 500.00 DA